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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

2005 AUG 26 A 11:30

JEFF HATCH-MILLER, Chairman  
WILLIAM A. MUNDELL  
MARC SPITZER  
MIKE GLEASON  
KRISTIN K. MAYES

AZ CORP COMMISSION  
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF  
ARIZONA WATER COMPANY FOR AN  
EXTENSION OF ITS EXISTING CERTIFICATE  
OF CONVENIENCE AND NECESSITY.

DOCKET NO. W-01445A-05-0389

PROCEDURAL ORDER

BY THE COMMISSION:

On May 31, 2005, Arizona Water Company ("Arizona Water" or "Company") filed with the Arizona Corporation Commission ("Commission") an Application for an extension of its existing Certificate of Convenience and Necessity ("CC&N") for its Coolidge system.

On June 13, 2005, the Commission's Utilities Division Staff ("Staff") filed an Insufficiency Letter listing the areas in the application that Staff determined did not meet the sufficiency requirements set forth in the Arizona Administrative Code ("A.A.C.").

On August 25, 2005, Staff filed a Letter of Sufficiency.

Pursuant to A.R.S. §41-1074(C), this Application is deemed administratively complete.

Pursuant to A.A.C. R14-3-101, the Commission now issues this Procedural Order to govern the preparation and conduct of this proceeding.

IT IS THEREFORE ORDERED that the **hearing** in the above-captioned matter shall commence on **November 29, 2005, at 10:00 a.m.**, or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona 85007.

IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105, except that all motions to intervene must be filed on or before October 28, 2005.

IT IS FURTHER ORDERED that objections to any motions to intervene must be filed on or before November 10, 2005.

IT IS FURTHER ORDERED that Arizona Water shall provide public notice of the hearing in this matter, in the following form and style, with the heading in no less than 12 point bold type and

the body in no less than 10 point regular type:

**PUBLIC NOTICE OF HEARING ON THE**  
**APPLICATION OF ARIZONA WATER COMPANY**  
**FOR AN EXTENSION OF ITS EXISTING CERTIFICATE OF**  
**CONVENIENCE AND NECESSITY FOR WATER SERVICE**  
**(W-01445A-05-0389)**

On May 31, 2005, Arizona Water Company ("Arizona Water") filed an Application with the Arizona Corporation Commission ("Commission") for an extension of its existing Certificate of Convenience and Necessity for its Coolidge system. If the Application is granted, Arizona Water would be the exclusive provider of water to the area in Pinal County that is identified in the Application, and would be required by the Commission to provide service under rates and charges and terms and conditions established by the Commission. The Application is available for inspection during regular business hours at the offices of the Commission in Phoenix, at 1200 West Washington Street, Phoenix, Arizona, and at the offices of the Company, [insert address].

The Commission will hold a hearing on this matter beginning on **November 29, 2005, at 10:00 a.m.**, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona. Public comment will be taken on the first day of the hearing.

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Intervention shall be permitted to any person entitled by law to intervene and having a direct and substantial interest in the matter. Persons desiring to intervene must file a written motion to intervene with the Commission, which motion should be sent to the Applicants or its counsel and to all parties of record, and which, at the minimum, shall contain the following:

1. The name, address, and telephone number of the proposed intervenor and of any party upon whom service of documents is to be made if different than the intervenor.
2. A short statement of the proposed intervenor's interest in the proceeding (e.g., a customer of the Applicants, a shareholder of the Applicants, etc.).
3. A statement certifying that a copy of the motion to intervene has been mailed to the Applicants or their counsel and to all parties of record in the case.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that all motions to intervene must be filed on or before October 28, 2005. The granting of intervention, among other things, entitles a party to present sworn evidence at hearing and to cross-examine other witnesses. Failure to intervene will not preclude any potential customer from appearing at the hearing and making a statement on such person's own behalf. You will not, however, receive any further notice of the proceeding unless requested by you.

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting Linda Hogan, ADA Coordinator, voice phone number 602/542-3931, E-mail Lhogan@admin.cc.state.az.us. Requests should be made as early as possible to allow time to arrange the accommodation.

IT IS FURTHER ORDERED that Arizona Water shall publish notice of the Application in a

1 newspaper of general circulation in the proposed extension area and shall mail to each property  
2 owner in the requested extension area a copy of the above notice by September 26, 2005.

3 IT IS FURTHER ORDERED that Arizona Water shall file certification of mailing/publication  
4 as soon as practical after the mailing has been completed but not later than October 28, 2005.

5 IT IS FURTHER ORDERED that notice shall be deemed complete upon mailing/publication  
6 of same, notwithstanding the failure of an individual to read or receive the notice.

7 IT IS FURTHER ORDERED that Staff shall file a Staff Report by October 28, 2005.

8 IT IS FURTHER ORDERED that Arizona Water shall file any objections to the Staff Report  
9 by November 10, 2005.

10 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized  
11 Communications) applies to this proceeding as the matter is now set for public hearing.

12 IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend,  
13 or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at  
14 hearing.

15 DATED this 26<sup>th</sup> day of August, 2005

17 

18 DWIGHT D. NODES  
19 ASSISTANT CHIEF ADMINISTRATIVE LAW JUDGE

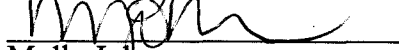
20 Copies of the foregoing mailed/delivered  
21 this 26 day of August, 2005 to:

22 Robert W. Geake  
23 Arizona Water Company  
24 P.O. Box 29006  
Phoenix, AZ 85038-9006

25 Christopher Kempley, Chief Counsel  
26 Legal Division  
27 ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, Arizona 85007

Ernest G. Johnson, Director  
Utilities Division  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, Arizona 85007

ARIZONA REPORTING SERVICE, INC.  
2627 N. Third Street, Suite Three  
Phoenix, Arizona 85004-1104

28 By:   
Molly Johnson  
Secretary to Dwight D. Nodes